

**Kenny C. Guinn, Governor
STATE OF NEVADA**

A Guide to State Statutes for Natural Resources Conservation and Development

December 2000

**Technical Report 1
Nevada Natural Resources Plan**

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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

Notes to the Reader

This is the first technical report produced as part of the Nevada Natural Resources Plan (NRP). The state NRP is a process for gathering people and information necessary to advance public and private stewardship of our biological, land, water, air, recreation and other related resources. The lead agency is the Nevada Department of Conservation and Natural Resources (DCNR), with special support from the state Department of Agriculture and Division of Minerals. Goals of the Plan emphasize intergovernmental coordination, public awareness and involvement, dissemination of information about Nevada's resources, and mitigation of priority resource issues. As the planning process proceeds, the state NRP Technical Working Group will prepare and distribute other technical reports about natural resources and conservation in Nevada.

This report also may be viewed on the Internet, at the DCNR home page. If you want to contact, or want more information about any of the seven divisions or two special programs within the department, main office addresses, phone numbers and web site addresses are provided below.

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|--|---|--------------|--|
| Conservation Districts | 333 W. Nye Lane, Room 126, Carson City, NV 89706 | 775.687.6977 | http://www.state.nv.us/cnr/conv01.htm |
| Environmental Protection | 333 W. Nye Lane, Room 138, Carson City, NV 89706 | 775.687.4670 | http://www.state.nv.us/ndep/index.htm |
| Forestry | 1201 Johnson Street, Suite D, Carson City, NV 89706 | 775.684.2500 | http://www.state.nv.us/cnr/forestry/ |
| State Lands | 333 W. Nye Lane, Room 118, Carson City, NV 89706 | 775.687.4364 | http://www.state.nv.us/lands/ |
| State Parks | 1300 S. Curry Street, Carson City, NV 89703 | 775.687.4370 | http://www.state.nv.us/stparks/ |
| Water Resources | 123 W. Nye Lane, Carson City, NV 89706 | 775.687.4380 | http://ndwr.state.nv.us/ |
| Wildlife | 1100 Valley Road, PO Box 10678, Reno, NV 89520 | 775.688.1500 | http://www.nevadadivision ofwildlife.org |
| Natural Heritage Program | 1550 E. College Parkway, Rm. 145, Carson City, NV 89706 | 775.687.4245 | http://www.state.nv.us/nvnhp |
| Commission for the Preservation of Wild Horses | 885 Eastlake Boulevard, Carson City, NV 89704 | 775.849.3625 | http://www.state.nv.us/cnr/horse01.htm |

Should you have questions or comments about the state Natural Resources Plan, or about information in this technical report, please contact us at:

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Preparers Notes

This technical report was prepared by the state Technical Working Group (TWG) to the Natural Resources Plan (NRP). It was prepared under the guidance of the NRP Steering Committee. The Steering Committee consists of the Director and Assistant Director of the Nevada Department of Conservation and Natural Resources and the Administrators of the divisions and special programs within the Department. The TWG was established for the purpose of developing and implementing a planning process that advances agency and citizen stewardship of Nevada's natural resources through coordinated planning and management activities. The TWG members are identified below.

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Denise Adkins, Executive Secretary, State Conservation Commission, Division of Conservation Districts
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A Guide to State Statutes for Natural Resource Conservation and Development

This report provides a comprehensive guide to Nevada Revised Statutes (NRS) pertaining to the protection, management and use of natural resources and the environment in Nevada. The Guide, contains information about the authorities and duties of the Department of Conservation and Natural Resources (DCNR), the Divisions that make up the DCNR, commissions and advisory boards of the DCNR, and other State agencies (e.g., Nevada Department of Agriculture, Division of Mineral, State Historic Preservation Office, and more). State policies pertaining to natural resource planning and management duties of local governments and districts, are also identified.

Most chapter sections reproduced in this Guide are not recorded in entirety. Sufficient information from the statutes has been reproduced to provide a general understanding of the scope, intent and implementation of the statute. Detailed procedures and repetitive phrases have been omitted. Gaps in subsection numbering are intentional. Users of this Guide should consult the Nevada Revised Statutes or the responsible agency if a formal citation or more information is needed. This Guide is based on the copyright year 2000 edition of the NRS.

This is a working document. Additions or other suggested changes are welcome. Send suggestions to Ed Skudlarek, Nevada Department of Conservation and Natural Resources, Telephone: (775) 687-4361 ext. 225; FAX: (775) 687-6122; E-mail: eskudlar@govmail.state.nv.us.

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Index to Nevada Revised Statute Chapters

| NRS Chapter | Agency or Political Subdivision | Contents of NRS Chapters |
|--------------------|---|--|
| 232 | Department of Conservation and Natural Resources | Department of Conservation and Natural Resources duties, composition; Advisory Board on Natural Resources duties, composition |
| 278 | Local Government | authority to regulate land improvement; natural resource and master land use planning; zoning; state agency review of subdivision map |
| 321 | Division of State Lands | use, acquisition of state lands; navigable waters; land planning assistance; land, natural resources inventory; federal land acquisition plan; areas of critical environmental concern |
| 322 | Division of State Lands | state land and navigable water policy, leases and easements, permit authority for use of state land and navigable waters |
| 381 | Division of Museums and History | natural history objective; historic, prehistoric site protection, permit to investigate, explore or excavate |
| 383 | Historic Preservation Office | historic, prehistoric, archeological objects, sites preservation, planning coordination; cooperation of state agencies and political subdivisions; protection of Indian burial sites, artifacts |
| 384 | Comstock Historic District Commission | creation of Comstock historic district commission; creation of historic district; provisions for oversight of alteration or demolition of historic structures, sites or railroad |
| 407 | Division of State Parks | state park land acquisition, protection, development; statewide recreation planning duties; resource management duties; coordination with federal government |
| 408 | Department of Transportation | transportation policy coordination with social, economic and environmental goals of the state |
| 444 | Division of Environmental Protection | solid waste disposal regulation; state, local governmental solid waste management plan; individual sewage disposal system regulation |
| 444A | Division of Environmental Protection | solid waste recycling regulations; state planning for solid waste management |
| 445A | Division of Environmental Protection | surface, ground water pollution control; water quality protection; Lake Tahoe protection; State Environmental Commission duties; water quality planning; radioactive, hazardous |

| NRS Chapter | Agency or Political Subdivision | Contents of NRS Chapters |
|--------------------|--|---|
| 445B | Division of Environmental Protection | air pollution control, quality; State Environmental Commission duties; source construction permit; vehicle emissions and inspection and maintenance program |
| 459 | Division of Environmental Protection | transportation plan for radioactive materials and high level radioactive waste; uranium mill regulation; highly hazardous substances regulations |
| 472 | Division of Forestry | forest land, watershed maintenance, preservation; state forester firewarden duties; forest fire protection |
| 473 | Division of Forestry | fire protection districts, state forester firewarden duties |
| 488 | Division of Wildlife | boat safety regulations |
| 501 | Division of Wildlife | wildlife policy; hunting policy; State Board of Wildlife Commissioners powers, duties; County Advisory Board to Manage Wildlife duties; enforcement |
| 502 | Division of Wildlife | hunting, fishing, trapping permit, license, tag regulations |
| 503 | Division of Wildlife | hunting, fishing, trapping season regulation; safe fish passage regulation; fauna threatened with extinction protection policy; Migratory Bird Treaty Act |
| 504 | Division of Wildlife Commission for the Preservation of Wild Horses | wildlife management area creation, management; federal agency cooperation; Commission for the Preservation of Wild Horses powers, duties; federal government coordination; wild horse protection policy |
| 513 | Commission on and Division of Mineral Resources | Commission on Mineral Resources duties; Division of Mineral Resources duties; abandoned (nonoperating) mines program |
| 514 | Bureau of Mines and Geology | bureau of mines and geology duties, responsibilities; agreements with U.S. Geological Survey |
| 519A | Division of Environmental Protection Division of Minerals | mine reclamation policy, division duties, responsibilities; coordination with Division of Minerals; mining operation permit; reclamation bond pool; fees for land disturbed by mining under plan of operation |
| 522 | Division of Minerals | oil, gas development regulation; fresh water pollution prevention |
| 523 | State Energy Office | state energy plan, energy supply and environmental protection policy |
| 527 | Division of Forestry | tree, flora protection; Christmas trees, cactus and yucca collection permit; controlled fire planning; forest pest infestations; flora threatened with extinction protection; inventory of forest, range resources |

| NRS Chapter | Agency or Political Subdivision | Contents of NRS Chapters |
|--------------------|--|---|
| 528 | Division of Forestry | forest practices act; logging operation permit; timberland conversion; reforestation, forest nursery |
| 532 | Division of Water Resources | state water law; state engineer powers, duties, responsibilities; inventory; intergovernmental agreement authority; channel clearance; |
| 533 | Division of Water Resources | vested rights adjudication policy and procedure; water appropriation policy and procedure; effluent reuse policy; beneficial use policy; inter-basin and inter-county transfer policies |
| 534 | Division of Water Resources | groundwater appropriation policy and procedure; designated ground water basin, state engineer powers, duties; recharge project permit |
| 534A | Division of Minerals | geothermal well permitting authority; appropriation for consumptive water use |
| 535 | Division of Water Resources | dam construction regulation; dam safety inspection responsibilities; beaver dam removal |
| 536 | Division of Water Resources | ditch, canal and flume construction regulations; provisions for appropriation of ditch or flume rights of way on private lands; authorization for ditch or flume construction on state land |
| 539 | Irrigation Districts | irrigation district formation; powers and duties |
| 540 | Division of Water Planning | water planning policy; state water plan; division duties, responsibilities; Advisory Board on Water Resources Planning and Development responsibilities; water conservation planning |
| 541 | Water Conservancy District | water conservancy district formation; powers and duties; irrigation and flood control authority |
| 543 | Department of Conservation and Natural Resources Flood Control District | flood control; department cooperation with other government entities; flood control district formation, board duties and powers; flood water storage; flood control master plan preparation, implementation |
| 544 | Department of Conservation and Natural Resources | weather modification; related department duties |
| 548 | Division of Conservation Districts | renewable natural resources conservation, conservation district policy; State Conservation Commission powers, duties; conservation district powers, duties |
| 555 | Department of Agriculture | control of pests of plants, animals; weed control by districts; pesticide use policy, regulation |
| 561 | Department of Agriculture | department, state board of agriculture powers, duties; agricultural resource management, natural resource planning, estray horse management; aquatic agriculture resources regulation |

| NRS Chapter | Agency or Political Subdivision | Contents of NRS Chapters |
|------------------------|--|---|
| 563 | Rangeland Resources Commission | public land livestock grazing; livestock industry research and information dissemination; range improvement construction, ownership |
| 568 | Grazing Districts | grazing districts, Taylor Grazing Act; range improvements; drinking source water protection |
| 569 | Department of Agriculture | estrays horse management |
| 571 | Department of Agriculture | livestock, wildlife communicable disease prevention, interagency coordination |
| 576 | Department of Agriculture | alternative livestock; state board of agriculture regulation; consultation with division of wildlife |
| 587 | Department of Agriculture | seed-certifying agency; seed certification and certified seed regulations |
| 704 | Public Utility Commission | water conservation plan; energy supply plan, environmental benefits; renewable energy use requirement; Utility Environmental Protection Act, environmental impact study review |

Acronyms

| | | | |
|---------|---|-------|---|
| ABNR | Advisory Board on Natural Resources | NDOA | Nevada Department of Agriculture |
| ABWRPD | Advisory Board on Water Resources Planning and Development | NDOW | Nevada Division of Wildlife |
| BLM | U.S. Bureau of Land Management | NDSL | Nevada Division of State Lands |
| COMR | Commission on Mineral Resources | NDSP | Nevada Division of State Parks |
| CPWH | Nevada Commission for the Preservation of Wild Horses | NDWP | Nevada Division of Water Planning |
| DCNR | Department of Conservation and Natural Resources | NDWR | Nevada Division of Water Resources |
| NDBI | Nevada Division of Business and Industry | NRS | Nevada Revised Statute(s) |
| NDCD | Nevada Division of Conservation Districts | PUCN | Public Utility Commission of Nevada |
| NDEP | Nevada Division of Environmental Protection | SBOA | State Board of Agriculture |
| NDF | Nevada Division of Forestry | SBWC | State Board of Wildlife Commissioners |
| NDHR/HD | Nevada Department of Human Resources, Health Division | SHPO | State Historic Preservation Office |
| NDOM | Nevada Division of Minerals | SCC | State Conservation Commission |
| NDMH | Nevada Division of Museums and History | SEC | State Environmental Commission |
| | | USDOI | United States Department of Interior |
| | | USFWS | United States Fish and Wildlife Service |
| | | USGS | United States Geological Survey |